

# EXHIBIT H

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June 11, 2004

BY FACSIMILE  
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David B. Tulchin, Esq.  
Sullivan & Cromwell LLP  
125 Broad Street  
New York, New York 10004

Re: In re Microsoft Antitrust Litigation, MDL No. 1332

Dear Mr. Tulchin:

I write on behalf of plaintiffs' Lead Counsel Committee in the above-styled matters.

Confirming my voice mail and our conversation:

1) Pre-existing professional obligations and deadlines prevent us from preparing the opposition memoranda by the scheduled due date of June 18, 2004 in connection with Microsoft's motion to dismiss (or for summary judgment on) certain complaints asserting state law claims, and its motion to dismiss complaints superseded by the consolidated class action complaint;

2) We would like to get an unconditional extension, based upon professional courtesy, of 30 days in the time to respond in respect of the matters raised by the above-referenced motions;

3) We do not believe that we can simply wait until next Wednesday when you return to arrange for the response deadline because Wednesday, June 16 is too close to the Friday, June 18 due date;

4) Please have someone from your office call so that we can try to reach a mutual agreement for an appropriate extension based upon professional courtesy;

5) However, we can, of course, agree to most of the conditions you set forth in response to Robert Heuck's earlier request for this relief, including (a) that Microsoft's time to

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submit any reply papers by September 2 (or a later time if you need it), (b) that the stipulation will recite that the adjournment is at plaintiffs' request, and (c) that we won't seek further adjournments or support others who may do so; and

6) I can tell you that, with respect to the eight cases subject to the aforementioned motions for which my firm is responsible, we have no plans to initiate any discovery or activity against Microsoft prior to Microsoft's reply date. While I am presently unaware of any such plans with regard to any of the other cases to which Microsoft's motions are directed, I can make no representation for the numerous firms which may be involved in those cases.

Thanks for taking the trouble to return my call from the airport before you left for the weekend and I hope we can have a more productive call if you can get somebody else to call me back. I do not want to bother the Court with motion practice if we can work out the scheduling matters.

Thanks very much.

Sincerely,

  
Christopher Lovell

CL;ml

cc: Joseph E. Neuhaus, Esq.